



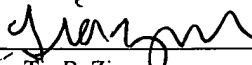
PATENT
Docket No. 300622010000

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EV 333854504 US

Date of Deposit: January 26, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Tia B. Zimmerman

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Leonard KATZ et al.

Serial No.: 10/647,196

Filing Date: August 21, 2003

For: RECOMBINANT CHALCOMYCIN
POLYKETIDE SYNTHASE AND
MODIFYING GENES

Examiner: Not Yet Assigned

Group Art Unit: 1645

**STATEMENT TO SUPPORT FILING AND SUBMISSION
IN ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Non-Provisional Application with respect to the Notice to Comply with Sequence Listing requirements mailed on November 25, 2003, the undersigned hereby states that the content of the attached paper copy of the sequence listing and the computer readable copy of the sequence listing submitted in accordance with 37 C.F.R. §§ 1.821-1.825, are identical. The submission includes no new matter.

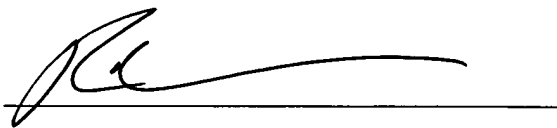
Applicants request consideration and entry of the Sequence Listing paper copy and computer readable copy. Pursuant to 37 C.F.R. 1.77, please enter the paper copy of the Sequence Listing after the Abstract.

In the unlikely event that the Patent Office determines that an extension and/or other relief is required as a result of this statement, Applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due to our **Deposit account no. 03-1952** referencing docket no. 300622010000. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: January 26, 2004

By:



Randolph Ted Apple
Registration No. 36,429

Morrison & Foerster ^{LLP}
755 Page Mill Road
Palo Alto, CA 94304
Telephone: (650) 813-5933
Facsimile: (650) 494-0792